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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/396,565	09/15/1999	JIN LU	PHA-23.775	7621

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EXAMINER

MAHMOUDI, HASSAN

ART UNIT PAPER NUMBER

2175

DATE MAILED: 12/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

TS

Office Action Summary

Application No.

09/396,565

Applicant(s)

LU, JIN

Examiner

Tony Mahmoudi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3, 5, 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____

DOV POPOVICI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because it contains more than 150 words. The abstract should be edited to contain no more than 150 words. Correction is required.
2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "aid," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details. See MPEP §608.01(b).

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc. See MPEP §608.01(b).

3. The arrangement of the disclosed application does not conform with 37 CFR 1.77(b).

Section headings throughout the disclosed specification are boldfaced and underlined.

Section headings should not be underlined and/or **boldfaced**. Appropriate corrections are required according to the guidelines provided below:

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4. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Mankovitz (U.S. Patent No. 5,949,492.)

As to claim 1, Mankovitz teaches an apparatus for use in conjunction with a host device having a receptacle associated therewith (see Abstract), the apparatus comprising:

a removable card adaptable for insertion into the receptacle of the host device (see column 15, lines 63-67, and see figure 69), the removable card including processor (see figure 69) for running at least one application (see column 44, lines 53-66), and wherein an agent program is downloadable from the removable card to the host device (see column 45, lines 3-28), such that the agent program runs on a processor of the host device and controls communication between the application running on the processor of the removable card and an application running on the processor of the host device (see column 46, line 59 through column 47, line 7.)

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As to claims 2 and 13, Mankovitz teaches wherein the processor of the removable card runs a plurality of applications, and further wherein a plurality of agent programs are downloaded to the host device, one for each of the applications running on the processor of the removable card (see column 3, lines 58-63.)

As to claims 3 and 14, Mankovitz teaches wherein the processor of the removable card runs a plurality of applications (see column 3, lines 58-63), and the agent program controls communication between two or more of the applications and at least one application running on the processor of the host device (see column 46, line 59 through column 47, line 7.)

As to claims 4 and 15, Mankovitz teaches wherein the agent program interacts with an application programming interface (API) of the host device (see column 28, lines 13-48.)

As to claims 5 and 16, Mankovitz teaches wherein the agent program controls communication between the application running on the processor of the removable card and each of a plurality of applications running on the processor of the host device (see column 46, line 59 through column 47, line 7.)

As to claims 6 and 17, Mankovitz teaches wherein communications between the agent program and the application running on the removable card are at least partially encrypted (see column 18, lines 37-65, and see column 24, lines 22-31, where “encrypted” is read on “encoded”.)

As to claims 7 and 18, Mankovitz teaches wherein after insertion of the removable card into the receptacle of the host device, a command channel and a data channel are created between the removable card and the host device (see column 50, lines 9-21.)

As to claims 8 and 19, Mankovitz teaches wherein the processor of the host device runs an agent manager program which receives a message from the application running on the processor of the removable card, the message identifying a particular agent program to be downloaded (see column 13, lines 49-59), and in response to the message downloads the agent program from a memory of the removable card via the data channel (see column 15, lines 14-22.)

As to claims 9 and 20, Mankovitz teaches wherein the agent program after being downloaded to the host device sends a message (see column 9, lines 58-61) to the application running on the processor of the removable card via the command channel, the message indicating that the agent program is ready to control communication between the application running on the processor of the removable card and the application running on the processor of the host device (see column 16, lines 42-44.)

As to claims 10 and 21, Mankovitz teaches wherein the host device comprises a digital television receiver (see column 11, lines 1-12, where “receiver” is read on “tuner”), and the

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application running on the processor of the removable card includes a processing operation for a transport stream (see column 8, lines 25-53.)

As to claims 11 and 22, Mankovitz teaches wherein the processing operation comprises a decryption operation (see column 13, lines 56-59, where “decryption” is read on “decoded”).

As to claim 12, Mankovitz teaches a method for use in conjunction with a host device having a receptacle associated therewith (see Abstract), the method comprising the step of: adapting a removable card for insertion into the receptacle of the host device (see column 15, lines 63-67, and see figure 69), the removable card including a processor (see figure 69) for running at least one application (see column 44, lines 53-66), and wherein an agent program is downloadable from the removable card to the host device (see column 45, lines 3-28), such that the agent program runs on a processor of the host device and controls communication between the application running on the processor of the removable card and an application running on the processor of the host device (see column 46, line 59 through column 47, line 7.)

As to claim 23, Mankovitz teaches an article of manufacture comprising a machine-readable storage medium containing one or more software programs (see column 8, lines 54-64) which when executed implement (for the remaining steps of this claim, the applicant is kindly directed to remarks and discussions made in claims 1 and 12 above.)

As to claim 24, Mankovitz teaches an apparatus for use in conjunction with a removable card (see Abstract), the apparatus comprising (for the remaining steps of this claim, the applicant is kindly directed to remarks and discussions made in claim 1 above.)

As to claim 25, Mankovitz teaches a method for use in conjunction with a removable card (see Abstract), the method comprising (for the remaining steps of this claim, the applicant is kindly directed to remarks and discussions made in claim 12 above.)

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of art with respect to methods and systems of communications involving removable cards for processing multimedia data in general:

Patent/Pub. No.	Issued to	Cited for teaching
US 2003/0115293	Fogg et al.	System and method of content delivery.
US 2002/0002069	Keronen et al.	User programmable Smart card interface system.

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8. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Tony Mahmoudi whose telephone number is (703) 305-4887. The examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (703) 305-3830.

tm

November 7, 2003



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